

EXHIBIT # 1

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Chapter 7.50

Regulating the Maintenance of Vacant and/or Foreclosing Residential Properties and Foreclosures of Owner Occupied Residential Properties

7.50.010 Purpose.

Unsecured and un-maintained vacant properties and foreclosing properties present a danger to the safety and welfare of public safety officers, the public, occupants, abutters and neighborhoods, and as such, constitute a public nuisance. This section is enacted to promote the health, safety and welfare of the public, to protect and preserve the quiet enjoyment of occupants, abutters and neighborhoods, and to minimize hazards to public safety personnel inspecting or entering such properties. (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City Council on 09/13/2011)

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Under-21-Night Entertainment License Rules

Mayor Sarno has issued new rules and regulations governing entertainment licenses for 'under 21' events at Springfield nightclubs. **More about the Under-21-night regulations**

New Vacant and Foreclosed Properties Ordinance

Mayor Domenic J. Sarno and the Springfield Finance Control Board have passed an ordinance which will regulate the maintenance of vacant or foreclosed residential properties in Springfield. The purpose of the ordinance is to protect and preserve public safety, security, and quiet enjoyment of occupants, abutters and neighborhoods where vacant and foreclosed residential properties are located. **More about the new vacant and foreclosed property ordinance**

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Regulating the Maintenance of Vacant and/or Foreclosing Residential Properties and Foreclosures of Owner Occupied Residential Properties

7.50.020 Definitions

The following words and phrases, when used in this section, shall have the following meanings:

A. "Building" - any combination of materials having a roof and enclosed within exterior walls or firewalls, built to form a structure for the shelter of persons.

B. "Certificate of Compliance with Ordinance 7.50" - certificate issued by the Commissioner to the owner of a vacant and/or foreclosing property upon compliance with the provisions of this section.

C. "Commissioner" - the Building Commissioner for the City of Springfield.

D. "Days" - consecutive calendar days.

E. "Fire Commissioner" - the commissioner of the Springfield Fire Department or his or her designee.

F. "Foreclosing" - the process by which a property, placed as security for a real estate loan, is prepared for sale to satisfy the debt if the borrower defaults.

G. "Initiation of the Foreclosure Process" - taking any of the following actions:

1. Taking possession of a residential property pursuant to General Laws chapter 244 section 1;

2. Commencing a foreclosure action on a property in any court of competent jurisdiction, including without limitation filing a complaint in Land Court under the Service members Civil Relief Act - Public Law 108-189 (50 U.S.C.S. App. § 501-536);

3. In any instance, where the mortgage authorizes mortgagee entry to make repairs upon mortgagor's failure to do so.;

H. "Local" - within twenty (20) miles of the property in question.

I. "Mortgagee" - the creditor including but not limited to, service companies, agents, lenders in a

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mortgage agreement, and any successor in interest and/or assignee of the mortgagee's rights, interests or obligations under the mortgage agreement.

J. "Owner" - every person, entity, service company, property manager or real estate Broker, who alone or severally with others:

1. Has legal title to any real property, including but not limited to a dwelling, dwelling unit, mobile dwelling unit, or parcel of land, vacant or otherwise, including a mobile home park; or

2. Has care, charge or control of real property, including but not limited to any dwelling, dwelling unit, mobile dwelling unit, or parcel of land, vacant or otherwise, including a mobile home park, or any administrator, administratrix, executor, trustee or guardian of the estate of the holder of legal title; or

3. Is a mortgagee of any such property who has initiated the foreclosure process as defined in this section;

4. Is an agent trustee or other person appointed by the courts and vested with possession or control of any such property; or

5. Is an officer or trustee of the association of unit owners of a condominium. Each such person is bound to comply with the provisions of these minimum standards as if he were the owner. However, "owner" shall not mean a condominium association created pursuant to General Laws chapter 183A to the extent that such association forecloses on or initiates the foreclosure process for unpaid assessments due or owing to the association; or

6. Every person who operates a rooming house; or

7. Is a trustee who holds, owns or controls mortgage loans for mortgage-backed securities transactions and has initiated the foreclosure process.

K. "Property" - any real residential property, or portion thereof, located in the city, including buildings or structures situated on the property; provided, however, that "property" shall not include property owned or under the control of the city, the Commonwealth or the United States of America.

L. "Secured, Securing" - making the property inaccessible to unauthorized persons.

M. "Vacant" - any property not currently legally occupied and not properly maintained or secured. (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City Council on 09/13/2011 and 12/13/2011)

<< Section 7.50.010 Purpose. Section 7.50.030 Registration of vacant >>

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7.50.030 Registration of vacant and/or foreclosed residential properties.

A. Any owner of a vacant and or foreclosing property shall forthwith:

1. Provide written notification to the Commissioner and the fire commissioner of the status of such property, including in such notice, the name, address and telephone number of the owner; the location of the property; the length of time the building has been vacant; the estimated time the building will remain vacant; and the nature of the contents of the building; and
2. As may be required by the fire commissioner, file one set of space utilization floor plans for any buildings on said property with the fire chief and one set of said plans with the Commissioner. The owner shall certify space utilization plans as accurate twice annually, in January and July; and
3. Remove from the property, to the satisfaction of the fire commissioner, hazardous material as that term is defined in Massachusetts General Laws, chapter 21K, as that statute may be amended from time to time; and
4. At the discretion of the Commissioner, secure all windows and door openings and ensure that the building is secured from all unauthorized entry continuously in accordance with the United States Fire Administration, National Arson Initiative Board up Procedures or provide twenty-four (24) hour on-site security personnel on the property. When a vacant or foreclosing property is located within a complex of buildings owned by a single owner, twenty-four (24) hour on-site security shall be provided within the building or within the complex wherein the building is located; and
5. Post "No Trespassing" signs on the property; and

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6. Maintain the property in accordance with this Chapter, free of overgrowth trash and debris, and pools of stagnant water, and ensure that structures are maintained in a structurally sound condition; and

7. If the property is vacant, drain all water from the plumbing and turn off all electricity between September 15 and June 15 of each calendar year to guard against burst pipes and fires; and

8. Maintain the property in accordance with all other relevant state codes and local regulations concerning the maintenance of property; and

9. Provide the fire commissioner and Commissioner with the name, local address, and telephone number of a responsible person who can be contacted in case of emergency. The owner shall cause the name and contact number to be marked on the front of the property as may be required by the fire chief or Commissioner; and,

10. Maintain liability insurance on the property and furnish the director with a copy of said certificate of insurance; and

11. Provide a cash bond acceptable to the Commissioner, in the sum of not less than ten thousand (\$10,000.00) dollars, to secure the continued maintenance of the property throughout its vacancy and remunerate the city for any expenses incurred in inspecting, securing, marking or making such building safe. A portion of said bond shall be retained by the city as an administrative fee to fund an account for expenses incurred in inspecting, securing, and marking said building and other such buildings that are not in compliance with this Section. Any owner of a vacant or foreclosing property providing a bond pursuant to this section must also provide bonds for all other vacant or foreclosing properties it owns in the City.

12. Notify the Commissioner in writing when the property is sold or transferred.

B. Upon satisfactory compliance with the above provisions the Commissioner shall issue a certificate of building closure. Said certificate shall be valid for the length of time prescribed by the director and noted thereon; provided, however, the certificate shall be subject to continued compliance with the provisions of this section. (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City Council on 09/13/2011)

<< Section 7.50.020 Definitions

Section 7.50.040 Signs/Markings. >>

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7.50.040 Signs/Markings.

When required pursuant to this section signs or markings shall be applied on the front of the property, and elsewhere as the fire commissioner or Commissioner may require, at or above the second floor level and shall not be placed over doors windows or other openings. All signs/markings shall be visible from the street and when requested by the fire commissioner or Commissioner shall be placed on the sides and rear of the property Signs markings shall be a minimum of 24 inches by 24 inches, with lines of 2 inch width, and shall have a reflective background, or be painted with reflective paint in contrasting colors. Signs/markings shall be applied directly on the surface of the property, and shall state the date of posting and the most recent date of inspection by the fire chief and Commissioner. (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City council on 09/13/2011)

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7.50.050 Properties without certificate of building closure.

The Commissioner, upon being informed of the existence of a vacant or foreclosing property without a Certificate of Compliance with Ordinance 7.50, shall cause notice to issue to the owner of the status of said property and shall order said person to immediately obtain a Certificate of Compliance with Ordinance 7.50. If any person fails to comply with said order, the Commissioner and agents thereof may enter the premises to inspect, and further may seek court orders to enter upon the premises to secure, clean, and remove any pools of stagnant water. (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City Council on 09/13/2011 and 12/13/2011)

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7.50.060 Expenses.

The owner of a vacant or foreclosing property who fails to obtain a Certificate of Compliance with Ordinance 7.50 as required herein, shall be liable to the city for expenses incurred by the city in securing such property, for removing rubbish and overgrowth and/or for abating stagnant pools of water. The Commissioner shall provide the owner with a written statement of all costs associated with inspecting, securing, and marking the property, and removing rubbish or overgrowth, or abating stagnant pools of water. If the owner fails to pay or reimburse the city within seven days of notice of expenses the city shall draw down upon the bond paid by the owner as required in Chapter 7.50.030 (11). If there is no bond available, the Commissioner shall record the notice of claim in the Hampden County Registry of Deeds (or the Land Court Department) forthwith, and shall have the right to file a civil action in the Western Division Housing Court to establish a lien on the property for the balance due. (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City Council on 09/13/2011 and 12/13/2011)

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Regulating the Maintenance of Vacant and/or Foreclosing Residential Properties and Foreclosures of Owner Occupied Residential Properties

7.50.070 Duty to Maintain Property.

A. No owner of a vacant or foreclosing property shall allow said property to become or remain unsecured, or to contain an accumulation of rubbish, or to contain overgrowth, or to have a stagnant pool of water. If it appears that any vacant or foreclosing property is unsecured, contains rubbish, overgrowth, or a stagnant pool of water, the Commissioner shall send written notification to the owner, requiring that the owner promptly secure the property, remove the rubbish or overgrowth, or abate the stagnant pool of water.

B. If the owner fails to comply with any notice issued pursuant to this provision, the Commissioner may immediately seek to obtain the proceeds secured by the bond filed pursuant to 7.50.030 (11) herein and shall enter upon the premises and cause the property to be inspected, and further may seek court orders to enter upon the premises to secure, clean, and remove any pools of stagnant water. (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City Council on 09/13/2011 and 12/13/2011)

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7.50.080 Nuisance Referral.

All unsecured vacant or foreclosing properties shall be immediately referred to the Commissioner for a determination relative to whether the property is a nuisance or dangerous pursuant to chapter 139 and procedures promulgated thereunder. (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City Council on 09/13/2011)

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7.50.090 Notice.

A. Notices required pursuant to this section shall be served in the following manner:

1. Personally on any owner as defined in this section or on the contact person specified pursuant to Chapter 7.50.030 (9); or ,
2. Left at the last and usual place of abode of any owner, or contact person as specified pursuant to Chapter 7.50.030 (9), if such place of abode is known and is within or without the commonwealth; or,
3. By certified or registered mail, return receipt requested, to any owner, or the contact person specified pursuant to Chapter 7.50.030 (9). (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City Council on 09/13/2011)

<< Section 7.50.080 Nuisance Referral. Section 7.50.100 Enforcement. >>

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7.50.100 Enforcement.

A. Failure to comply with any provision of this ordinance shall be punished by a fine of three hundred (300.00) dollars pursuant to M.G.L. 40 section 21D, with each day of violation constituting a separate offence.

B. This section may also be enforced by civil, criminal process or non-criminal process including injunctive relief. The Commissioner and/or the fire commissioner shall be enforcing persons for purposes of this section. (As enacted by the Finance Control Board on 04/09/2009) (As amended by the City Council on 09/13/2011 and 12/13/2011)

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Facilitating Mediation of Mortgage Foreclosures of Owner Occupied Residential Properties

7.60.010 Purpose.

Unsecured and un-maintained vacant properties and foreclosing properties present a danger to the safety and welfare of public safety officers, the public, occupants, abutters and neighborhoods, and as such, constitute a public nuisance. This section is enacted to promote the health, safety and welfare of the public, to protect and preserve the quiet enjoyment of occupants, abutters and neighborhoods, and to minimize hazards to public safety personnel inspecting or entering such properties. (As enacted by the City Council on 09/13/2011)

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Facilitating Mediation of Mortgage Foreclosures of Owner Occupied Residential Properties

7.60.020 Definitions.

For the purposes of this Ordinance, the following words shall, unless the context clearly requires otherwise, have the following meanings:

A. "Creditor" - a person or entity that holds or controls, partially, wholly, indirectly, directly, or in a nominee capacity, a mortgage loan securing a residential property, including, without limitation, a mortgagee, an originator, holder, investor, assignee, successor, trust, trustee, nominee holder, Mortgage Electronic Registration System or mortgage servicer, including the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation. "Creditor" shall also include any servant, employee or agent of a creditor.

B. "Good Faith Effort" - an effort by each party upon being present or taking part in the mediation conference as required and defined by this Act in an effort to negotiate and agree upon a commercially reasonable alternative to foreclosure as described in G.L. c. 244, §35A(c).

C. "Homeowner" - an individual mortgagor, his or her assignee, successor, or a trust or trustee who owns and resides in residential real property located in the city, and for whom such residential real property is his/her principal residence.

D. "Loan/mortgage Mediation Conference" - the formal discussion and negotiation undertaken by the parties in a good faith effort to negotiate and agree upon a commercially reasonable alternative to avoid foreclosure and held at a location mutually convenient to the parties. Both the homeowner/mortgagor and lender/mortgagee must be physically present for the mediation conference unless telephone participation is mutually agreed upon.

E. "Mediation Program or Program" - the foreclosure mediation program established in the city of Springfield pursuant to this Act and described in Section 6.

F. "Mediation Program Manager" - a neutral not-for-profit organization with offices located in the

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city of Springfield and experienced in the mediation of the residential foreclosure process, familiar with all programs available to help homeowners avoid foreclosure, and knowledgeable of the mortgage foreclosure laws of the commonwealth. The Mediation Program Manager shall sign a user agreement with the city authorizing the receipt and use of personal and financial information for the purposes of the mediation program only. Such Mediation Program Manager shall ensure the security and confidentiality of any and all information received or exchanged under the program consistent with applicable federal, state, and city laws. Access to such program information shall be limited to those officers and employees of the organization who require the information to properly perform services under the city's mediation program, and that the organization and its officers and employees may not access, modify, use or disseminate such information for inconsistent or unauthorized purposes.

G. "Mediator" - an individual (a) whose training complies with the qualifications standards for neutrals specified in the guidelines for training mediators adopted by the Supreme Judicial Court of Massachusetts pursuant to Rule 8 of the Uniform Rules for Dispute Resolution; and (b) who has completed training on foreclosure mediation; and (c) who has a working knowledge of all federal, state, and city programs available to help homeowners retain their homes.

H. "Mortgagee" - an entity to whom property is mortgaged, the mortgage creditor or lender including, but not limited to, service companies, agents, lenders in a mortgage agreement, and any successor in interest and/or assignee of the mortgagee's rights, interests or obligations under the mortgage agreement.

I. "Mortgage loan" - a loan to a natural person made primarily for personal, family or household purposes secured wholly or partially by a mortgage on residential property.

J. "Mortgage servicer" - an entity which administers or at any point administered the mortgage; provided, however that such administration shall include, but not be limited to, calculating principal and interest, collecting payments from the mortgagor, acting as escrow agent or foreclosing in the event of a default.

K. "Mortgagor" - the holder of a mortgage loan that is secured wholly or partially by a mortgage on residential property.

L. "Residential property" - real property that is owner-occupied as an owner's principal residence, located within the city, that is either a single-family dwelling or a structure containing not more than four (4) residential units, and shall also include a residential condominium unit or a residential co-op unit occupied by an owner as an owner's principal residence.

M. "Parties" - the homeowner/mortgagor and the creditor/mortgagee or their assigns or successors.

N. "Property" - see "residential property" as defined in this section. (As enacted by the City Council on 09/13/2011) (As amended 12/13/2011)

<< Section 7.60.010 Purpose. Section 7.60.030 Requirement for media >>

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7.60.030 Requirement for mediation certificate.

Notwithstanding any general or special law to the contrary, all mortgage foreclosures in the city of Springfield pertaining to residential property which is owner occupied as the owner's principal residence shall be required to go through a city-approved mediation program as set out in this Ordinance, and obtain a certificate verifying the mortgagee's good faith participation in foreclosure mediation. (As enacted by the City Council on 09/13/2011)

[<< Section 7.60.020 Definitions.](#) [Section 7.60.040 Establishment of Med](#) [>>](#)

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7.60.040 Establishment of Mediation Program.

The city of Springfield is hereby empowered to establish a mediation program relative to mortgage foreclosures in accordance with this Ordinance and promulgate regulations as necessary and appropriate to implementing such a mediation program involving mortgagees, creditors, mortgagors, homeowners, utilizing city-approved mediation program managers and mediators to mediate between the mortgagee, or its assigns, and a mortgagor/homeowner who owns residential real property in the city which is occupied by the mortgagor as his or her principal residence. Such mediation shall be facilitated by a city-approved mediation program manager according to procedures established by this Ordinance. Said mediation program may only relate to the mediation of mortgage foreclosures of residential real property in the city of Springfield that is the mortgagor's principal residence. (As enacted by the City Council on 09/13/2011)

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7.60.050 Scope of Mediation Program.

A. The city shall establish a mediation program to provide mediation for all foreclosures of mortgages on owner-occupied residential property with no more than four (4) units that is the primary residence of the owner-occupant. The program shall address all issues of foreclosure where applicable, including but not limited to reinstatement of the mortgage, modification of the loan and restructuring of the mortgage debt, including the reduction and forgiveness of mortgage debt. The Parties are required to make a good faith effort in mediation as defined in this section. Mediations conducted pursuant to the program shall use the calculations, assumptions and forms that are established by (i) the Federal Deposit Insurance Corporation and published in the Federal Deposit Insurance Corporations Loan Modification Program Guide available on the Federal Deposit Insurance Corporation's publicly accessible website, (ii) the Home Affordable Modification Program; (iii) any modification program that a lender uses which is based on accepted principles and the safety and soundness of the institution and recognized by the National Credit Union Administration, the Division of Banks or any other instrumentality of the commonwealth; (iv) the Federal Housing Agency; or (v) similar federal programs.

B. The city shall provide for a means of evaluating and selecting qualified Mediation Program Managers. The city shall also provide for a means of assessing and evaluating annually the city's mediation program including reports and data related to (a) the number of mortgagors who are notified of mediation; (b) the number of mortgagors who attend mediation and who receive counseling or assistance; (c) the number of certificates of completion issued under the program, and (d) the results of the mediation process, including the number of loans restructured, number of principal write-downs, interest rate reductions and, to the extent such information is available, the number of mortgagors who default on mortgages within a year after restructuring.

C. The city may terminate a Mediation Program Manager's participation in the mediation program for good cause, as determined by the appropriate city official.

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In such case, the Mediation Program Manager shall deliver to the city all records and information in its possession for appropriate preservation and storage. (As enacted by the City Council on 09/13/2011) (As amended 12/13/2011)

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7.60.060 Confidentiality in Mediation.

Except for financial information otherwise permitted by law to be disclosed, any financial statement or information provided to the city or its approved independent counseling agencies or provided to the mortgagee or mortgagor during the course of mediation in accordance with this Act is confidential and shall not be available for public inspection. Any financial statement or information to reasonably facilitate the mediation shall be made available as necessary to the mediator and to the attorneys or representatives, if any, of the parties to the mediation. Any financial statement or information designated as confidential under this section shall be kept separate and apart from other papers and matters not the subject of the mediation. No mortgagee shall be required to disclose information in violation of the Massachusetts General Laws chapter 93H, and 201 CMR 17. (As enacted by the City Council on 09/13/2011) (As amended 12/13/2011)

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7.60.070 Notice.

For the purpose of the mediation program established by the city, the city shall obtain a copy of all notices filed pursuant to G.L. c. 244 § 35A(g), (h), within ten (10) days of receipt by the Commissioner of the Division of Banks pursuant to G.L. c. 244, §35A(k) that relate to residential properties in the city of Springfield. The receipt of said notice shall constitute the beginning of the mediation process as set forth in this section, and at that time the city shall notify the creditor/mortgagee and the mortgagor of their rights and responsibilities under this Act regarding mediation. It is the intent and purpose of this Act that mediation commence within 45 days of the mortgagor receiving notice of his or her right to cure as provided in M.G.L. c. 244, §35A (g) and (h). The city shall refer the matter for mediation to an approved mediation program manager which shall have the responsibility of assigning a mediator and scheduling the parties to immediately commence mediation pursuant to this Act. The parties shall participate in good faith in such mediation consistent with the creditor's and mortgagor's rights and obligations set forth in G.L. c. 244, §35A and the mediation shall proceed with the parties' good faith effort to negotiate and agree upon a commercially reasonable alternative to foreclosure as defined in c. 244, §35A(c). The mediation shall continue without delay until completion, but shall in no way constitute an extension of the foreclosure process, nor an extension of the right to cure period. Notwithstanding the limitation in the previous sentence, the mediation may be extended

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by mutual agreement for good cause. (As enacted
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7.60.080 Administration of Mediation Program.

A. The mediation program established by this Ordinance shall include, and be limited to, the following steps:

1. The parties shall participate in a mandatory loan/mortgage mediation conference at a location mutually convenient to the parties. All parties and/or their respective representatives present at said mediation conference must have authority to enter into any agreements renegotiating the mortgage that is the subject of the foreclosure, or to otherwise resolve the pending foreclosure. Telephone participation by the creditor/mortgagee shall not be permitted unless mutually agreed to by all parties.

2. Said mediation conference shall be scheduled at a time and place to be determined by the mediation program manager, but not later than forty-five (45) days following the mortgagor's receipt of his or her notice of right to cure. The parties will be noticed under the mediation program by certified and first class mail.

3. Prior to the scheduled mediation conference, the mortgagor shall be assigned a city-approved loan counselor. If the mortgagor is already working with a city-approved loan counselor, no assignment is necessary. However, such loan counselor must agree to work with the mortgagor during the mediation process in accordance with the provisions of this Ordinance.

4. The mortgagor shall cooperate in all respects with the Mediation Program Manager, providing all necessary financial and employment information. The mortgagor shall complete any and all loan resolution proposals and applications as appropriate. The mortgagor must provide evidence of current income. The mortgagee's representative brings and make

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available, the mortgage, note, all assignments, as well as a detailed accounting of the outstanding balance, costs and fees.

5. If after two (2) attempts by the mediation program manager to contact the mortgagor, the mortgagor fails to respond to the mediation program manager's request to appear for the mediation conference, or the mortgagor fails to cooperate in any respect with the requirements outlined in this Ordinance, the requirements of the Ordinance will be deemed to be satisfied upon verification by the city-approved mediation program manager that the required notice was sent; and if so, a certificate shall be issued immediately by the mediation program manager certifying that the creditor/mortgagee has satisfied the mediation requirements of this Ordinance.

6. If, it is determined after a good faith effort made by the creditor/mortgagee at the mediation conference with the mortgagor, that the parties cannot come to an agreement to re-negotiate the terms of the loan in an effort to avoid foreclosure, such good faith effort on behalf of the creditor/mortgagee shall be deemed to satisfy the requirements of this Ordinance. A certificate certifying such good faith effort pursuant to this Act shall be issued immediately and without delay by the Mediation Program Manager authorizing the creditor/mortgagee to proceed with its rights under Chapter 244 of the General Laws. (As enacted by the City Council on 09/13/2011)

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7.60.090 Authorization for establishment of Mediation Registration fee.

The City of Springfield is hereby authorized to enact and from time to time revise by ordinance, a reasonable and appropriate mediation registration fee to be charged to the parties for the services attendant to administering the mediation program established under this Act. A mortgagor's portion of the fee shall not exceed fifteen percent (15%) of the total cost of the mediation. A mortgagor's inability to pay for mediation shall not be a bar to participation in the Mediation Program. (As enacted by the City Council on 09/13/2011)

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7.60.100 Penalty and Enforcement.

A. A mortgagee's failure to comply with any section of this ordinance shall result in a fine of three hundred (\$300.00) dollars owed to the City of Springfield, for each instance of a violation, to be charged to the mortgagee in accordance with Massachusetts General Laws Chapter 40, section 21.

B. Every calendar day of non-compliance with the sections of this ordinance shall constitute a separate violation subject to the penalties described under this section, up until the end of the right to cure period.

C. Said fine or fines under this section shall be recovered by indictment or complaint pursuant to Massachusetts General Laws, Chapter 40, Section 21.

D. Any fines pursuant to this Ordinance shall not be charged to the borrower either directly or indirectly. (As enacted by the City Council on 09/13/2011)

<< [Section 7.60.090 Authorization for est](#) [Section 7.60.110 Severability.](#) >>

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7.60.110 Severability.

In the event any part of this ordinance shall be held invalid, such invalidity shall not invalidate the whole ordinance but the remaining provisions of this ordinance shall not be affected thereby. (As enacted by the City Council on 09/13/2011)

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